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**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

**COPY**

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled "**BROADBAND CABLE TELEVISION AND COMPUTER NETWORK**"; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

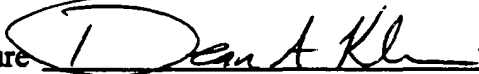
I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of sole inventor: **DEAN A. KLEIN**

Inventor's signature



Date

3/31/97

Residence: **1473 Parkforest Way, Eagle, Idaho 83616**

Citizenship: **United States Of America**

Post Office Address: **1473 Parkforest Way, Eagle, Idaho 83616**

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Send Correspondence To:  
**KNOBBE, MARTENS, OLSON & BEAR, LLP**  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660-8016

Direct Telephone Calls To:  
**Drew S. Hamilton, Esq.**

**(619) 235-8550**

TRA-2152:lmd:032597

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Dean A. Klein )  
Appl. No. : Unknown )  
Filed : Herewith )  
For : **BROADBAND CABLE** )  
          **TELEVISION AND COMPUTER** )  
          **NETWORK** )  
Examiner : Unknown )

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COPY

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor to the Assignee. I have reviewed this Assignment, and to the best of the Assignee's knowledge and belief, the Assignee is the owner of the entire right, title and interest in the above-referenced application.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

**App. No.** : Unknown  
**Filed** : Herewith

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints Louis J. Knobbe, Registration No. 18,780; Don W. Martens, Registration No. 21,107; Gordon H. Olson, Registration No. 20,319; James B. Bear, Registration No. 25,221; Darrell L. Olson, Registration No. 28,247; William B. Bunker, Registration No. 29,365; William H. Nieman, Registration No. 30,201; Lowell Anderson, Registration No. 30,990; Arthur S. Rose, Registration No. 28,038; James F. Lesniak, Registration No. 25,240; Ned A. Israelsen, Registration No. 29,655; Drew S. Hamilton, Registration No. 29,801; Jerry T. Sewell, Registration No. 31,567; John B. Sganga, Jr., Registration No. 31,302; Edward A. Schlatter, Registration No. 32,297; Gerard von Hoffmann, Registration No. 33,043; Joseph R. Re, Registration No. 31,291; John M. Carson, Registration No. 34,303; Andrew H. Simpson, Registration No. 31,469; Daniel E. Altman, Registration No. 34,115; Anita M. Kirkpatrick, Registration No. 32,617; Ernest A. Beutler, Registration No. 19,901; Vito A. Canuso, Registration No. 35,471; William H. Shreve, Registration No. 35,678; Stephen C. Jensen, Registration No. 35,556; Steven J. Nataupsky, Registration No. 37,688; Michael H. Trenholm, Registration No. 37,743; AnneMarie Kaiser, Registration No. 37,649; Brenton R. Babcock, Registration No. 39,592; Nancy Ways Vensko, Registration No. 36,298; Jonathan A. Barney, Registration No. 34,292; Ronald J. Schoenbaum, Registration No. 38,297; Richard C. Gilmore, Registration No. 37,335; John R. King, Registration No. 34,362; William S. Reimus, Registration No. 38,279; John P. Giezentanner, Registration No. 39,993; Frederick S. Berretta, Registration No. 38,004; Christopher A. Colvin, Registration No. 39,147; Richard Kim, Registration No. 40,046; Glenn R. Smith, Registration No. 38,308; Craig S. Summers, Registration No. 31,430; Stephen C. Beuerle, Registration No. 38,380; Robert F. Gazdzinski, Registration No. 39,990; Yasuo Muramatsu, Registration No. 38,684; Raimond J. Salenieks, Registration No. 37,924; R. Scott Weide, Registration No. 37,755; Renée E. Canuso, Registration No. 36,657; Michael L. Fuller, Registration No. 36,516; Neil S. Bartfeld, Registration No. 39,901; Daniel E. Johnson, Registration No. 37,033; and Katherine W. White, Registration No. 37,470, Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (714) 760-0404; also Steven P.

App. No. : Unknown  
Filed : Herewith

Arnold, Registration No. 33,354, Micron Electronics, Inc., 900 East Karcher Road, Nampa, Idaho 83687, Telephone (800) 438-3343, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all communications relative to said application to the following correspondence address:

Drew S. Hamilton, Esq.  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
Telephone: (619) 235-8550

MICRON ELECTRONICS, INC.

Dated: 4-4-97

By:   
Steven P. Arnold

Title: Vice President, General Counsel

Address: 900 E. Karcher Road  
Nampa, ID 83687

TRA-2151:imd  
032597

ASSIGNMENT

WHEREAS, I, Dean A. Klein, a United States citizen, residing at 1473 Parkforest Way, Eagle, Idaho 83616, have invented certain new and useful improvements in a "BROADBAND CABLE TELEVISION AND COMPUTER NETWORK" for which I have executed an application for Letters Patent in the United States, on even date herewith;


AND WHEREAS, Micron Electronics, Inc. (hereinafter "ASSIGNEE"), a Minnesota Corporation, with its principal place of business at 900 East Karcher Road, Nampa, Idaho 83687, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said inventor, do hereby acknowledge that I have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and I hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 31<sup>st</sup> day of March 1997.

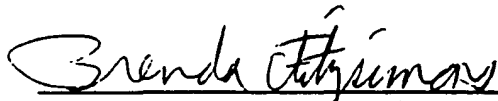
  
DEAN A. KLEIN

STATE OF Idaho  
COUNTY OF Canyon       ss.

On March 31, 1997 before me, Brenda Fitzsimons personally appeared DEAN A. KLEIN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
Signature  
Commission expires 11-16-2002